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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,215	03/30/2001	Judith A. Goldstein	42390P10854	6074
8791	7590	07/28/2004	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			COFFY, EMMANUEL	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/823,215	GOLDSTEIN, JUDITH A.	
	Examiner Emmanuel Coffy	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 March 2001.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) 17 and 25 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 March 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

1. This action is responsive to the application filed on 30 March, 2001.

Claims 1-30 are pending. Claims 1-30 are directed to a method for a "Method and apparatus for intersystem cut/copy and paste."

### **Specification**

2 The disclosure does not include a "Summary" Section as required. See MPEP § 608.01(d). Appropriate correction is required.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the methods of claims 23 and 24 must be shown or the features canceled from the claims. No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR

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1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Claim Objections**

4. Claims 17 and 25 are objected to because of the following minor informalities. Appropriate correction is required.

Above claims are dependent claims, which depend on 12 and 18 respectively. A claim that depends from a dependent claim should not be separated by any claim that does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim. In general applicant's sequence will not be changed. See MPEP §608.01(n).

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, the phrase "substantially" renders the claim indefinite because the claim includes elements not actually disclosed (those encompassed by "substantially"), thereby rendering the scope of the claim unascertainable.

See MPEP § 2173.05(d). This is applicable to all other claims where the word substantially is found. Furthermore, every claim which claims dependency on a claim rejected under this paragraph is rejected by virtue of said dependency.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the second paragraph of 35 U.S.C. 102:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2, 4-5, and 7-8 directed to an apparatus are rejected under 35 USC 102(e) as being clearly anticipated by Petersen et al. (US 6,484,207).

Petersen teaches a network data switch which includes a memory buffer to which information is copied from a computing system selected via the network data switch from two or more network devices coupled with the network data switch as a result of a first substantially predetermined event. (See abstract).

Claim 1:

Referring to claim 1, Petersen teaches an apparatus comprising: a switch-box, wherein the switch-box comprises a memory buffer to which information is copied from a computing system selected via the switch-box from two or more computing systems coupled with the switch-box as a result of a first substantially predetermined event. (See Fig.1 and col. 5, lines 23-25).

Claim 2:

Referring to claim 2, Petersen teaches the apparatus of claim 1, wherein the information copied from a computing system selected via the switch-box is copied to another selected computing system of the two or more computing

systems as a result of a second substantially predetermined event. (See col. 5, lines 38-42).

Claim 4:

Referring to claim 4, Petersen teaches the apparatus of claim 3 further comprising a timer employed, at least in part, to recognize the first and second keystroke sequences.

A clock and timer are inherent parts of a computer; therefore, claim 4 is rejected.

Claim 5:

Referring to claim 5, Petersen teaches the apparatus of claim 1, wherein the switch-box is adapted to allow the memory buffer and a single set of interface devices to be selectively coupled at substantially individual times with one of the two or more computing systems based, at least in part, on a user selection. (See col. 6, lines 30-35).

Claim 7:

Referring to claim 7, Petersen teaches the apparatus of claim 1, wherein the two or more computing systems are coupled with the switch-box via a data transfer coupling (See Fig. 1 (110)) and a set of interface device couplings. (See Fig. 1 (118)).

Claim 8:

Referring to claim 8, Petersen teaches the apparatus of claim 7, wherein the data transfer coupling comprises a parallel interface. (See col. 1, lines 48-50).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 18-30 directed to a method are rejected under 35 USC 102(b) as being clearly anticipated by D'Arlach et al. (US 6,026,433).

D'Arlach teaches a method for creating and editing a Web site in a client-server computer network. (See abstract).

Claim 18:

Referring to claim 18,\_D'Arlach teaches a method comprising: determining that a network copy request has been generated; copying information from a first computing system to a network cut-and-paste data-structure as a result of the network copy request; and associating the copied information with a user-id for a current user in the network cut-and-paste buffer data-structure. (See col. 3 line 64 to col. 5 line 5).

Claim 19

Referring to claim 19,\_D'Arlach teaches The method of claim 18, further comprising determining that a network paste request has been generated; searching the cut-and-paste data structure as a result of the network paste request; determining that the copied information associated with the user-id for the current user exists in the cut-and-paste data structure; and as a result,

pasting the copied information from the cut-and-paste data-structure to a second computing system. (See col. 6, lines 21-43).

Claim 20:

Referring to claim 20,\_D'Arlach teaches the method of claim 19, wherein determining that the network copy request was generated comprises recognizing a first substantially predetermined, substantially time-limited event. (See col. 11, lines 36-37).

Claim 21:

Referring to claim 21,\_D'Arlach teaches the method of claim 20, wherein determining that the network paste request has been generated comprises recognizing a second substantially predetermined, substantially time-limited event. (See col. 5, lines 52-54).

Claim 22:

Referring to claim 22,\_D'Arlach teaches the method of claim 21, wherein the first and second substantially predetermined, substantially time-limited events comprise respective first and second keystroke sequences. (See col. 5, lines 26-27 and lines 52-55). (A user first selects a template by using a keyboard and then the user submits changes again by using the keyboard).

Claim 23:

Referring to claim 23,\_D'Arlach teaches the method of claim 18, wherein the cut-and-paste data structure comprises an array with at least one array entry, wherein an array entry includes a user-id data-field and an information data-field. (See Fig. 7 (User:Carmen) and Fig. 8 (Announcing...)).

**Claim 24:**

Referring to claim 24, D'Arlach teaches the method of claim 23, wherein associating the user-id with the copied information comprises copying the information to an information data-field for a specific one array entry and copying the user-id to a corresponding user-id data-field for the specific one array entry. (See Fig. 7 (User:Carmen) and Fig. 8 (Announcing...)).

**Claim 25:**

Referring to claim 25, D'Arlach teaches the method of claim 18, wherein copying information comprises employing a standard cut-and-paste buffer for an operating system of the first computing system. (See col. 5, lines 47-52).

**Claims 26-30:**

These claims do not teach or define any significantly new limitation above and beyond claims 18-25 to warrant particular treatment, and therefore are rejected for similar reasons. Claim 18 is a method whereas claim 26 recites an article. That is not a significant new limitation to warrant particular treatment.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 6, 13-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Petersen et al. (US '207) in view of D'Arlach et al. (US 6,026,433.)

Petersen teaches the invention substantially as claimed including a network data switch which includes a memory buffer to which information is copied from a computing system selected via the network data switch from two or more network devices coupled with the network data switch as a result of a first substantially predetermined event. (See abstract).

Claim 3:

Referring to claim 3, it recites the apparatus of claim 2, wherein the first and second substantially predetermined events are substantially predetermined respective first and second keystroke sequences.

Peterson teaches a first and second substantially predetermined events. Peterson does not specifically address the keystroke sequences as the respective first and second events. However, D'Arlach teaches a method of editing a web site in a client-server environment. (See col. 5, lines 26-27 and lines 52-55). A user first selects a template by using a keyboard and then the user submits changes again by using the keyboard. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the predetermined events taught by Petersen with editing a web site in a network environment as disclosed by D'Arlach. Such a system would allow a user to perform editing functions remotely. Therefore, claim 3 is rejected.

Claim 6:

Referring to claim 6, it recites the apparatus of claim 5, wherein the single set of interface devices comprises at least one of: a keyboard, a display monitor and a pointing device.

Peterson fails to suggest a keyboard, a display monitor and a pointing device as a set of interface devices. However, D'Arlach specifically teaches this limitation at col. 3, lines 50-53.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the system disclosed by D'Arlach. A system consisting of a keyboard, a display monitor and a pointing device is a conventional system. Therefore, claim 6 is rejected.

Claim 13:

Referring to claim 13, it recites the method of claim 12, wherein copying information to the external buffer is accomplished by employing a standard cut-and-paste buffer of the one of at least two or more computing systems.

Peterson fails to suggest employing a standard cut-and-paste buffer of the one of at least two or more computing systems. However, D'Arlach specifically teaches this limitation at col. 6, lines 21-43.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the system disclosed by D'Arlach. Such a system would allow a user to perform editing functions remotely. Therefore, claim 13 is rejected.

Claim 14:

Referring to claim 14, it recites the method of claim 12, further comprising copying the information in the external buffer to another computing system of the

two or more computing systems as a result of a second substantially predetermined event.

Peterson fails to suggest copying the information in the external buffer to another computing system of the two or more computing systems as a result of a second substantially predetermined event. However, D'Arlach specifically teaches this limitation at col. 5, lines 27-28 and lines 52-54.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the copying system disclosed by D'Arlach. Such a system would allow a user to perform editing functions remotely. Therefore, claim 14 is rejected.

Claim 15:

Referring to claim 14, it recites the method of claim 14, wherein the first and second substantially predetermined events comprise substantially predetermined, substantially time-limited respective first and second keystroke sequences.

This claim is rejected for the same reasons as claim 3 above.

Claim 16-17:

Referring to claims 16 and 17, claim 16 recites the method of claim 15, wherein the first and second keystroke sequences are keystroke sequences defined by respective operating systems of the one of the more computing systems and the another computing system of the two or more computing systems for accessing standard cut-and-paste buffers employed by those systems. Claim 17 recites the method of claim 12, wherein the first and second

keystroke sequences are substantially dedicated keystroke sequences for copying information to and from the external buffer.

These two claims do not teach or define any significantly new limitations above and beyond claims 3, 6, 13 and 14 to warrant particular treatment, and therefore, are rejected for similar reasons.

**Official Notice**

9. Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Petersen in view of Williams et al. (US 6,172,542) (only used as evidence for Official Notice.)

As for above claim, "Official Notice" is taken that the use of a serial interface as disclosed by Williams is well known and expected in the art. It would have been obvious to use the serial interface (single ended interface) as disclosed by Williams since the use of serial interface such as RS 232C was well known in the art as a reliable short distance synchronized mechanism for sending data.

10. Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Petersen in view of Williams et al. (US 6,172,542) (only used as evidence for Official Notice.)

As for above claim, "Official Notice" is taken that the use of a Universal Serial Bus (USB) as disclosed by Williams is well known and expected in the art. It would have been obvious to use the universal serial interface as disclosed by Williams since the use of USB is well known in the art as it has a variety of

operating modes that allow a number of computer peripherals to be connected to a generic port.

11. Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Petersen in view of Savicki (US 5,345,327) (only used as evidence for Official Notice.)

As for above claim, "Official Notice" is taken that the use of an infrared (IR) communication interface as disclosed by Savicki is well known and expected in the art. It would have been obvious to use the infrared interface as disclosed by Savicki since the use of an infrared interface was well known in the art as a interface used for portable communications systems designed for interior use.

### **Conclusion**

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Debosky et al. (U.S. 6,073,161) teaches "Method and Apparatus for Determining Editing Conflicts in a Multi-Authoring System."

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (703) 305-0325. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy  
Patent Examiner  
Art Unit 2157

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EC

July 15, 2004



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